

EXHIBIT A

Mew, Caroline (WDC)

From: M Z <markzwanz@gmail.com>
Sent: Wednesday, May 24, 2023 8:03 PM
To: Mew, Caroline (WDC)
Subject: Re: Kitchens v. United States Medical Licensing Examination 22cv3301 - Judge Murphy Order

Hi Caroline,

I appreciate your response, but I believe I have already explained everything in my letter and emails. All the necessary information regarding the bifurcation of issues and the briefing schedule can be found there. If you have any other new specific questions or concerns about the content I have already provided, please let me know, and I will do my best to address them.

Regards,

Dr. Marcus Kitchens Jr.

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On May 24, 2023, at 3:04 PM, Mew, Caroline (WDC) <CMew@perkinscoie.com> wrote:

Hi Marcus,

Thank you for your response. I think I have a general understanding of what you are seeking in terms of bifurcating the issues, and it sounds like you are asking to carve out issues relating to expungement for resolution at a later time. Is that correct? On the briefing, it is not clear to me whether you are requesting a different briefing schedule from what was announced in the Court's May 18 order, whether for some or all the issues. Would you please clarify? I am still trying to better understand what you are seeking in your request.

Kind regards,
Caroline

From: M Z <markzwanz@gmail.com>
Sent: Wednesday, May 24, 2023 1:57 PM
To: Mew, Caroline (WDC) <CMew@perkinscoie.com>
Subject: Re: Kitchens v. United States Medical Licensing Examination 22cv3301 - Judge Murphy Order

Hello Caroline,

As I stated in my letter, I am asking the Judge to bifurcate the issues before the Court and make a ruling on the merits of the ADA violation question. If my request is granted and I prevail, I am requesting that

the Judge provide partial relief in the form of reasonable testing accommodations for future exams. This accommodation is crucial for my participation in the upcoming 2024 Match Program.

By bifurcating the issues, the Judge's ruling on the question of disability would effectively resolve that aspect of the case, eliminating the need for further briefing. However, I would like to clarify that I am not requesting an altered briefing schedule for the remaining outstanding issues. Thank you.

Regards,

Dr. Marcus Kitchens Jr.

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On May 24, 2023, at 11:45 AM, Mew, Caroline (WDC) <CMew@perkinscoie.com> wrote:

Hello Marcus,

As an initial matter, we are trying to confirm the issue(s) for which you are seeking an expedited ruling. Would you please confirm. Also, it is my understanding from your letter that you are not seeking a change to the briefing schedule set out by the Court in the May 18 order, but an expedited ruling on specific issues from the Court once the briefing is complete. Is that correct?

Thanks,
Caroline

From: Dr. K. <markzwanz@gmail.com>

Sent: Tuesday, May 23, 2023 5:02 PM

To: Mew, Caroline (WDC) <CMew@perkinscoie.com>

Subject: Re: FW: Kitchens v. United States Medical Licensing Examination 22cv3301 - Judge Murphy Order

Hi Caroline,

The filed letter provides a comprehensive explanation of the challenges I am facing, specifically highlighting their potential impact on my residency application. I am concerned that these issues will put me at a disadvantage in the application process. I hope this helps you appreciate the urgency to the matter. I do not foresee any harm in making a ruling on this matter now, but do see harm if it is delayed. Thank you.

Regards,

Dr. Marcus Kitchens Jr.

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On Tue, May 23, 2023 at 4:41 PM Mew, Caroline (WDC) <CMew@perkinscoie.com> wrote:

Hello Marcus,

So that we can confer, would you please let me know the specific issue(s) you are seeking an expedited ruling on from the court, relative to the questions set forth in the May 18, 2023 Order?

Thanks,
Caroline

From: Murphy_Chambers <Murphy_Chambers@paed.uscourts.gov>
Sent: Tuesday, May 23, 2023 12:29 PM
To: Mew, Caroline (WDC) <CMew@perkinscoie.com>; markzwanz@gmail.com; jbayer@cozen.com
Subject: Kitchens v. United States Medical Licensing Examination 22cv3301 - Judge Murphy Order
Importance: High

Good afternoon Attorney Mew and Dr. Kitchens,

We sent the attached order to our Clerk's Office for docketing yesterday early afternoon, and I saw they still have not docketed the order. I reached out to them about this, but I am attaching the order to this email as there is a deadline this week.

Thank you,
Kerri Christy
Chambers of The Honorable John F. Murphy
United States District Court – EDPA
Room 3809 – U.S. Courthouse
601 Market Street
Philadelphia, PA 19106
Phone: 267-299-7510
Fax: 215-580-2312
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